

NOTICE OF INTENT

Department of Environmental Quality
Office of Environmental Assessment
Environmental Planning Division

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Air Quality regulations, LAC 33:III.3003 (Log #AQ206*).

This proposed rule is identical to federal regulations found in 40 CFR Part 60, July 1, 1999, which are applicable in Louisiana. For more information regarding the federal requirement, contact the Regulation Development Section at (225) 765-0399 or Box 82178, Baton Rouge, LA 70884-2178. No fiscal or economic impact will result from the proposed rule; therefore, the rule will be promulgated in accordance with R.S. 49:953(F)(3) and (4).

This rule incorporates by reference 40 CFR Part 60 as revised July 1, 1999, into LAC 33:III.Chapter 30. Louisiana receives delegation authority from the U.S. Environmental Protection Agency (EPA) for 40 CFR Part 60 Standards of Performance for New Stationary Sources (NSPS) by incorporating the federal regulations into the LAC. EPA's 105 Grant Objective requires that incorporation by reference of new and revised NSPS regulations be made annually. This rulemaking meets that requirement. The basis and rationale for this proposed rule are to mirror the federal regulations.

This proposed rule meets an exception listed in R.S. 30:2019 (D) (3) and R.S.49:953 (G) (3); therefore, no report regarding environmental/health benefits and social/economic costs is required. This proposed rule has no known impact on family formation, stability, and autonomy as described in R.S. 49:972.

A public hearing will be held on July 26, 2000, at 1:30 p.m. in the Maynard Ketcham Building, Room 326, 7290 Bluebonnet Boulevard, Baton Rouge, LA 70810. Interested persons are invited to attend and submit oral comments on the proposed amendments. Should individuals with a disability need an accommodation in order to participate, contact Patsy Deaville at the address given below or at (225) 765-0399.

All interested persons are invited to submit written comments on the proposed regulations. Commentors should reference this proposed regulation by AQ206*. Such comments must be received no later than July 26, 2000, at 4:30 p.m., and should be sent to Patsy Deaville, Regulation Development Section, Box 82178, Baton Rouge, LA 70884-2178 or to FAX (225) 765-5095. The comment period for this rule ends on the same date as the public hearing. Copies of this proposed regulation can be purchased at the above referenced address. Contact the Regulation Development Section at (225)

765-0399 for pricing information. Check or money order is required in advance for each copy of AQ206*.

This proposed regulation is available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 7290 Bluebonnet Boulevard, Fourth Floor, Baton Rouge, LA 70810; 804 Thirty-first Street, Monroe, LA 71203; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 3519 Patrick Street, Lake Charles, LA 70605; 3501 Chateau Boulevard, West Wing, Kenner, LA 70065; 100 Asma Boulevard, Suite 151, Lafayette, LA 70508; 104 Lococo Drive, Raceland, LA 70394 or on the Internet at <http://www.deq.state.la.us/planning/regs/index.htm>.

James H. Brent, Ph.D.
Assistant Secretary

Title 33
ENVIRONMENTAL QUALITY
Part III. Air

Chapter 30. Standards of Performance for New Stationary Sources (NSPS)

Subchapter A. Incorporation by Reference (IBR)

' 3003. IBR 40 Code of Federal Regulations (CFR) Part 60

A. Except as modified in this Section, regulations at 40 CFR part 60 as revised July 1, 1998⁹, and specified below in Tables 1 and 1.A are hereby incorporated by reference as they apply to the State of Louisiana.

Table 1. 40 CFR Part 60	
40 CFR Part 60 Subpart	Subpart Heading
[See Prior Text in A - Ea]	
Eb	Standards of Performance for <u>Large</u> Municipal Waste Combustors for which Construction is Commenced after September 20, 1994, or for Which Modification or Reconstruction Is Commenced After June 19, 1996
[See Prior Text in Ec - WWW]	

[See Prior Text in Table 1.A]

B. Reserved. ~~Final regulations published in the *Federal Register* on February 12, 1999, and specified below in Table 2 are hereby incorporated by reference as they apply to the State of Louisiana.~~

Table 2. 40 CFR Part 60			
40 CFR Part 60 Subpart/Appendix	Subpart Heading/Appendix	<i>Federal Register Citation</i>	Date Promulgated
Subpart A	General Provisions	64 FR 7463	February 12, 1999
Subpart D	Standards of Performance for Fossil Fuel-Fired Steam Generators for Which Construction is Commenced After August 17, 1971	64 FR 7464	February 12, 1999
Subpart Da	Standards of Performance for Electric Utility	64 FR 7464	February 12,

Table 2. 40 CFR Part 60			
40 CFR Part 60 Subpart/Appendix	Subpart Heading/Appendix	<i>Federal Register Citation</i>	Date Promulgated
	Steam-Generating Units for Which Construction is Commenced After September 18, 1978		1999
Subpart Db	Standards of Performance for Industrial- Commercial Institutional Steam Generating Units	64 FR 7464	February 12, 1999
Subpart De	Standards of Performance for Small Industrial Commercial Institutional Steam Generating Units	64 FR 7465	February 12, 1999
Subpart Ea	Standards of Performance for Municipal Waste Combustors for Which Construction is Commenced After December 20, 1989, and on or Before September 20, 1994	64 FR 7465	February 12, 1999
Subpart J	Standards of Performance for Petroleum Refineries	64 FR 7465	February 12, 1999
Subpart CC	Standards of Performance for Glass Manufacturing Plants	64 FR 7466	February 12, 1999
Subpart NN	Standards of Performance for Phosphate Rock Plants	64 FR 7466	February 12, 1999
Subpart XX	Standards of Performance for Bulk Gasoline Terminals	64 FR 7466	February 12, 1999
Subpart AAA	Standards of Performance for New Residential Wood Heaters	64 FR 7466	February 12, 1999
Subpart SSS	Standards of Performance for Magnetic Tape Coating Facilities	64 FR 7467	February 12, 1999

[See Prior Text in C - D]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 22:1212 (December 1996), amended LR 23:1681 (December 1997), LR 24:1287 (July 1998), LR 24:2238 (December 1998), LR 25:1239 (July 1999), LR 25:1797 (October 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26: